

Don F. – South Carolina – April 2004

Since being diagnosed with toxic mold induced illnesses back in November 2003, I have tried to bring this issue to the attention of my employer and the landlord of the building where my office is located. I have followed a structured approach by doing the following:

1. Notified my employer of the initial findings of the environmental testing company in November 2003. This was after I had submitted a request in November 2002, with photo documentation, to my supervisor of the need for an environmental study of the WRET-TV workplace. Staff complaints of health issues, along with building temperature extremes, very high humidity levels throughout the years and a general feeling that something was definitely wrong with the air at WRET.

2. Notified the "landlord" or the third party to the issue, the University of South Carolina Spartanburg, of my very serious health concerns for myself and the rest of the WRET TV staff members. WRET-TV is a regional station of the South Carolina Educational Television Network and is housed in the USCS Media Building in Spartanburg, SC. I am a 25+ year employee of South Carolina ETV, which makes me a State employee working for a State agency, housed in another State agency (USCS) building. This makes for a complicated case to say the least.

3. At my physician's request I notified my employer (SC ETV) that because of health concerns, I would not be allowed to continue working in the toxic mold environment at WRET. I was put under continued medical tests and medication, to alleviate the symptoms that I had been experiencing. At this time I filed a Workman's Comp claim based on my medical condition and my inability to return to work. I had suffered personal injury in the workplace as defined in the Workman's Comp regulations.

4. As a State Employee of South Carolina for over twenty-five (25) years, and having passed the age of 59 years old, I applied for disability retirement from the South Carolina Retirement System. I also applied for relief under Long-Term Disability insurance that was provided by my employer and a supplemental plan paid for by me.

5. After seven (7) months of asking, I finally received the environmental report for WRET-TV. I am not a scientist, but the contents of this report are very alarming. It shows a high level of multiple types of mold growth throughout the facility, in the air ducts and insulation. Air samples are positive for contamination throughout the building. Currently, the report is being "discussed" by my employer and USCS. As of this date, no efforts have been undertaken to remedy the problem at WRET and USCS. WRET staff, University staff and students are still being exposed to high levels of mycotoxin producing mold. Studies indicate that this is a very dangerous environment to work or live in.

6. After waiting for answers to my inquires, I filed a complaint with OSHA in Washington, DC. Contacted them at their South Carolina branch office in Columbia, and was assured that this claim would be investigated and processed. I am now awaiting their report.

7. Having suffered from multiple health issues during my entire time at WRET)15+ years, and getting to a point where I was limited in what I was able to do, I notified my employer in early 2003, that I wanted to be considered under the Americans With Disabilities Act, and be afforded all the rights that I was entitled to. I confirmed this request both over the telephone and via e-mail communication, although it is only required that you inform your employer verbally. This notification now makes my situation both a State and Federal issue. My rights must be protected under both.

8. Currently I am waiting the 90-day waiting period for all of my claims. The evidence is there, but the process is taking a long time it seems. I have exhausted all of my accrued vacation leave and sick leave. As of March 22, 2004, I am on leave-without-pay awaiting the outcome.

It is most disappointing to find out that after giving your employer 25 years service, when something of this nature occurs, you are on your own! Period! I feel that I would have gotten advice, or suggestions, from long-time employer, on how to deal with this, but I didn't. It seems to be my problem, and all I am guilty of is going to work everyday for twenty-five years, and getting injured on the job.

I am certain that this entire issue will be resolved, but I would advise others in similar circumstances to follow the process as I have done. Collect any evidence of the contamination, either by photos of the affected area or documents to support your case. Contact as many others that might be experiencing the same, or other health issues that they feel are related to the work environment. Even if you are not sure that you will suffer long-term health concerns from the exposure, complete a Workman's Comp form and give notice to your employer. It will come in handy if needed in the future. Keep all original documents/photos in your possession. Only give copies to others. If you lose the documents you may never have a chance to get them again. Keep any and all medical records and diagnoses along with any medications that you are required to take.

Notify your doctor and express your concerns about what you feel is a problem in the workplace. Many, if not most, doctors are unaware of the toxic mold connection to human health concerns.

Find and pass along to your doctors any information or studies that you have found linking toxic mold to human health.

I hope this can in some way help others.

Don F. (click [HERE](#) to contact the author of this story)

UPDATE 04/11/04

I was notified by my employer on Friday that I had been denied use of sick leave from the agency leave pool. This pool was set up to assist those employees that were suffering from long term health issues and had depleted their vacation and sick leave. A set of minimal guidelines was established for access to the leave pool. I have met all of the requirements and my employer, SC ETV, has had me on leave-without-pay since March 22, 2004. I will get a small paycheck around the middle of April, and that will be my last income from my employer. I was also notified that I could keep my group insurance if I payed around \$176.00 per month for my employee's share of the group insurance costs.

It doesn't take a fool long to understand that if you don't have an income, how can you pay your health premiums? You would think that after serving an employer for 25 plus years, you would get the consideration and approval for a few days of sick leave from the leave pool, after all, the pool leave comes from employees who are blessed with good health and feel the need to make some of their earned sick leave available to those who need it.

I am convinced that my denial is because of first of all, bringing the mold issue to the attention of my employer, insisting that something be done as soon as possible to prevent injury to other staff in the building, insisting on having an environmental test done and requesting a copy of the report to give to my doctors, contacting the Governor's Office as I am a state employee, contacting the South Carolina Human Resources Department for assistance, filing an OSHA complaint, and sharing my concerns regarding the whole toxic mold issue by establishing my E-group Toxic Mold site.

I have been treated like a leper since I began my campaign to get recognition and remedy for others still working in this dangerous environment. Some of my closet co-workers have ceased to even call and check on me at home. I am sure they are afraid of the repercussions that might affect them.

Let me tell you though, I am committed to this cause. At fifty-nine years of age, I feel that this is an issue that I can contribute to and will work to assist others in their fight for remedial action in their cases as well. Don't give up and continue to make others aware of the terrible health threat that many are facing, more than they might realize.

Don

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